

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

RAYNALDO RIVERA ORTIZ, JR.

CRIMINAL NO. 3:22-CR-378-N

GOVERNMENT’S WITNESS LIST

The United States of America files this Witness List:

Probable Witnesses

T.Y. ¹	She will testify to events leading up to and through her surgery on August 4, 2022 at Baylor Scott & White Surgicare North Dallas, including the complications, her recovery, and her current health.
J.E.	He will testify to events leading up to and through his surgery on August 9, 2022 at Baylor Scott & White Surgicare North Dallas, including the complications, his recovery, and his current health.
K.P.	She will testify to events leading up to and through her surgeries on August 18, 2022 and August 19, 2022 at Baylor Scott & White Surgicare North Dallas, including the complications, her recovery, and her current health.
J.A.	He will testify to events leading up to and through his surgery on August 24, 2022 at Baylor Scott & White Surgicare North Dallas, including the complications, his recovery, and his current health.
R.A.	She will testify to events leading up to and through J.A.’s surgery on August 24, 2022 at Baylor Scott & White Surgicare North Dallas, including the complications, his recovery, and current health.
J.K.	He will testify to the events leading up to and following the death of M.K. on June 21, 2022, including her use of an IV bag on the day of her death.

¹ The victims and their family members in the case are identified by initials. Additionally, the government has not provided certain home addresses of victims and witnesses to protect those individuals’ privacy interests. The government has provided the names and addresses to the defendant.

Jeffrey Dihel Baxter Healthcare Corporation 25212 W. Illinois Route 120, RLT2-W1 Round Lake, Illinois 60073	He will testify to the origin, manufacture, composition, and uses of the lactated ringer's IV bags used at Baylor Scott & White Surgicare North Dallas in 2022 and Baxter's review of the adverse incidents reported at Baylor Scott & White Surgicare North Dallas.
Brook Buchanan 12230 Coit Road, Suite 200 Dallas, Texas 75251	She will testify to her employment, duties, and experiences as a nurse at Baylor Scott & White Surgicare North Dallas, including her interactions with and observations of the defendant before, on, and after May 19, 2022 (the date of the surgery involving G.A.), as well as the surgery involving J.A. on August 24, 2022.
Rumaldo Gonzalez 12230 Coit Road, Suite 200 Dallas, Texas 75251	He will testify to his employment, duties, and experiences as an employee at Baylor Scott & White Surgicare North Dallas, including his role with stocking IV bags in the warming bin, as well as his interactions with and observations of the defendant.
Hayley Torneden 12230 Coit Road, Suite 200 Dallas, Texas 75251	She will testify to her employment, duties, and experiences as a nurse at Baylor Scott & White Surgicare North Dallas, including her interactions with and observations of the defendant and his practices with IV bags.
Avery Dorris 12230 Coit Road, Suite 200 Dallas, Texas 75251 (also a records custodian)	She will testify to her employment, duties, and experiences as a nurse/administrator at Baylor Scott & White Surgicare North Dallas, including her knowledge of the adverse medical incidents from late May through August 2022 and her knowledge of the amount of transfers from the facility since its reopening after its closure in late August 2022. She will testify that the records detailed in the government's 902(11) notice (doc. 104) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Baylor Scott and White Surgicare North Dallas, and that making the records was a regular practice of that activity.
Jordynn Feldmann	She will testify to her employment and experiences as a certified registered nurse anesthetist with the defendant's business (Garland Anesthesia Consultants) and at Baylor Scott & White Surgicare North Dallas, including her interactions with and observations of the defendant and his practices with IV bags before and after May 2022.
Ashley Burks c/o attorney Nick Bunch 2801 North Harwood, Suite 2300	She will testify to her employment, duties, and experiences as a nurse/administrator at Baylor Scott & White Surgicare North Dallas, including her knowledge of its procedures and practices, its scheduling of surgeries, its use of IV bags, and its video

Dallas, Texas 75201	surveillance system and its recordings; her interactions with and observations of the defendant at Baylor Scott & White Surgicare North Dallas and as an employee/contractor for his businesses; the adverse incidents that occurred at Baylor Scott & White Surgicare North Dallas from late May through August 2022 requiring hospital transfers; and her role in the facility's investigation of those incidents.
Dr. William Carpenter, M.D. 12230 Coit Road, Suite 200 Dallas, Texas 75251	He will testify to his work as a surgeon at Baylor Scott & White Surgicare North Dallas, including his interactions with and observations of the defendant before, on, and after May 19, 2022 and his involvement with the medical executive (peer review) committee addressing the defendant's conduct concerning a patient (G.A.) at Baylor Scott & White Surgicare North Dallas on May 19, 2022. He will testify concerning the surgery involving M.N. on August 9, 2022 and the complications encountered and subsequent events.
Dr. Frederick Lester, M.D. 12230 Coit Road, Suite 200 Dallas, Texas 75251	He will testify to his work as a surgeon/medical director at Baylor Scott & White Surgicare North Dallas, including his interactions with and observations of the defendant before, on, and after May 19, 2022; his involvement with the medical executive (peer review) committee addressing the defendant's conduct concerning a patient (G.A.) at Baylor Scott & White Surgicare North Dallas on May 19, 2022; and his role in the facility's investigation of the adverse incidents occurring from late May through August 2022 and following J.A.'s surgery on August 24, 2022.
Dr. Imraan Sheikh, M.D. 7217 Telecom Parkway Garland, Texas 75044	He will testify to his work as a gastroenterologist at Baylor Scott & White Surgicare North Garland, including his interactions with and observations of the defendant before, on, and after November 9, 2020 (the day of the surgery involving T.K. at Baylor Scott & White Surgicare North Garland in which the defendant was the anesthesiologist).
Chris Palazola Texas Medical Board P.O. Box 2018 Austin, Texas 78768-2018	He will testify to his role at the Texas Medical Board, his awareness of the Board's disciplinary proceedings against the defendant, and the issuance of complaints and orders in those proceedings.
Terri Burson	She will testify to her employment and experiences with the defendant and his businesses, including her roles at Garland Anesthesia Consultants, Assured Medical Billing, and other entities; her knowledge of those businesses and their sources of revenue and expenses; the employees of and contractors for those businesses; and the defendant's use of revenue from those businesses.

<p>Nick Brown U.S. Food & Drug Administration, Office of Criminal Investigations 8600 Freeport Pkwy., Suite 340 Irving, Texas 75063</p>	<p>He will testify to his review and transcription of recordings involving the defendant made in October 2022.</p>
<p>Dr. Elizabeth Kerner, M.D. 6130 Parker Road #110 Plano, Texas 75093</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her practice as a surgeon, including at Baylor Scott & White Surgicare North Dallas, and the surgeries involving T.Y. on August 4, 2022 and K.P. on August 18, 2022 and August 19, 2022 and the complications encountered and subsequent events. She will offer her opinions about the surgeries as noted in the government's expert disclosure (doc. 52).</p>
<p>Dr. George Erdman, M.D. 6606 LBJ Freeway, Suite 200 Dallas, Texas 75240</p> <p>(also noticed as potential expert)</p>	<p>He will testify to his practice as an anesthesiologist, including at Baylor Scott & White Surgicare North Dallas, and the surgery involving T.Y. on August 4, 2022 and the complications encountered and subsequent events. He will offer his opinions about the surgery as noted in the government's expert disclosure (doc. 52).</p>
<p>Dr. Chad Marsden, M.D. 12222 Merit Drive, Suite 600 Dallas, Texas 75251</p> <p>(also noticed as potential expert)</p>	<p>He will testify to his practice as an anesthesiologist, including at Baylor Scott & White Surgicare North Dallas, and the surgery involving K.P. on August 19, 2022 and the complications encountered and subsequent events. He will testify to his role in the investigation of the adverse medical events experienced at the facility from late May 2022 through August 2022, including that of J.A. on August 24, 2022. He will offer his opinions about the surgery and general anesthesia practice, including use and effects of drugs and other medications, as noted in the government's expert disclosure (doc. 52).</p>
<p>Dr. Duc P. Vo, M.D. 2241 Peggy Lane, Suite A Garland, Texas 75042</p> <p>(also noticed as potential expert)</p>	<p>He will testify to his practice as a surgeon, including at Baylor Scott & White Surgicare North Dallas, and the surgery involving J.E. on August 9, 2022 and the complications encountered and subsequent events. He will testify to his involvement with the medical executive (peer review) committee addressing the defendant's conduct concerning a patient (G.A.) at Baylor Scott & White Surgicare North Dallas on May 19, 2022. He will testify to his involvement with the medical executive (peer review) committee addressing the defendant's conduct concerning a patient (T.K.) at Baylor Scott & White Surgicare North Garland on November 9, 2020. He will offer his opinions about the surgery as noted in the government's expert disclosure (doc. 52).</p>

Dr. David Billman, M.D. 12222 Merit Drive, Suite 600 Dallas, Texas 75251 (also noticed as potential expert)	He will testify to his practice as an anesthesiologist, including at Baylor Scott & White Surgicare North Dallas, and the surgery involving J.E. on August 9, 2022, and the complications encountered and subsequent events. He will offer his opinions about the surgery as noted in the government's expert disclosure (doc. 52)
Dr. Thomas Hung, M.D. 2700 Hillcrest Road, Suite 900 Dallas, Texas 75230 (also noticed as potential expert)	He will testify to his practice as a surgeon, including at Baylor Scott & White Surgicare North Dallas and the surgery involving J.A. on August 24, 2022 and the complications encountered and subsequent events. He will offer his opinions about the surgery as noted in the government's expert disclosure (doc. 52).
Dr. Saad Hussain, M.D. 12230 Coit Road, Suite 200 Dallas, Texas 75251 (also noticed as potential expert)	He will testify to his practice as an anesthesiologist, including at Baylor Scott & White Surgicare North Dallas and the surgery involving J.A. on August 24, 2022 and the complications encountered and subsequent events. He will offer his opinions about the surgery as noted in the government's expert disclosure (doc. 52).
Kelly Carpenter Madison Associates Inc. U.S. Food & Drug Administration, Office of Criminal Investigations 8600 Freeport Pkwy., Suite 340 Irving, Texas 75063 (also noticed as potential expert)	He will testify to his review of federal income tax returns and bank and credit card accounts records for the defendant and his businesses to discern income amounts, income sources, and expenditures, and offer his opinions of the defendant's revenue and expenditures for certain periods. He will offer his opinions as noted in the government's expert disclosure (doc. 42).
Manuela Esparza Consumer Protection Branch 450 5 th St. NW #6400 Washington, DC 20001	Ms. Esparza will testify about her review of certain portions of the surveillance videos recorded at Baylor Scott & White Surgicare North Dallas.

Expert Witnesses

Dr. Stacey Hail, M.D.	She will testify about the review she performed concerning the death of M.K. and the serious bodily injuries of T.Y., J.E., K.P., and J.A., in the context of multiple incidents of unexplained cardiac emergencies occurring from May 2022 through August 2022 at Baylor Scott & White Surgicare North Dallas. She will testify whether there is a reasonable probability of serious adverse health consequences or death to an individual when that individual is administered adulterated intravenous fluids (IVF) that surreptitiously contain bupivacaine, lidocaine, epinephrine and/or ephedrine. She will offer her opinions as noted in the government's expert disclosure (doc. 43).
Dr. Guido Verbeck Augusta University 1120 15 th Street GE1027 Augusta, Georgia 30912	He will describe physical and chemical testing of IV bags and offer his opinions as noted in the government's expert disclosure (doc. 41).
Ashley Smith Juel University of North Texas 1155 Union Circle #305070 Denton, Texas 76203	She will describe physical and chemical testing of IV bags and offer her opinions as noted in the government's expert disclosure (doc. 41).
Dr. Elizabeth Ventura, M.D. Dallas County Medical Examiner's Office 2355 N Stemmons Freeway Dallas, Texas 75207	She will testify to her role and experience as a Medical Examiner, including the autopsy she performed on M.K. on June 22, 2022, and that based on that examination, her review of M.K.'s toxicology tests, her review of subsequent events that occurred at the Baylor Scott & White North Dallas Surgicare facility in 2022, and her review of scientific testing related to the subsequent events, that M.K. "died as a result of the toxic effects of bupivacaine." She will offer her opinions as noted in the government's expert disclosure (doc. 50).
Brittany Welch SWIFS	She will testify to her role and work as a Toxicology Chemist III at SWIFS,

2355 N Stemmons Freeway Dallas, Texas 75207	including her review of the testing performed concerning the blood samples of M.K., K.P., and J.A. and the conclusions she reached about those tests. She will offer her opinions as noted in the government's expert disclosure (doc. 49).
Dr. Kari Midthun NMS Labs 200 Welsh Road Horsham, Pennsylvania 19044	She will testify to her role and work as a Forensic Toxicologist at NMS Labs, including her review of the testing performed concerning the blood samples of M.K., K.P., and J.A. and the conclusions she reached about those tests. She will offer her opinions as noted in the government's expert disclosure (doc. 51).

Possible Witnesses

Chad Medaris U.S. Food & Drug Administration, Office of Criminal Investigations 8600 Freeport Pkwy., Suite 340 Irving, Texas 75063	He will testify to the criminal investigation of the defendant, including the collection of evidence and interviews of witnesses.
Daniel Allgeyer U.S. Food & Drug Administration, Office of Criminal Investigations 8600 Freeport Pkwy., Suite 340 Irving, Texas 75063	He will testify to the criminal investigation of the defendant, including the collection of evidence and interviews of witnesses.
Andrea Watson Dallas Police Department 1400 Botham Jean Blvd. Dallas, Texas 75215	She will testify to the criminal investigation of the defendant, including the collection of evidence and interviews of witnesses.
David Grubbs Dallas Police Department 1400 Botham Jean Blvd. Dallas, Texas 75215	He will testify to the criminal investigation of the defendant, including the collection of evidence and interviews of witnesses.
Michael Freeman Dallas Police Department 1400 Botham Jean Blvd. Dallas, Texas 75215	He will testify to copying the DVR used for video surveillance at Baylor Scott & White Surgicare North Dallas.

D. Hulbert Dallas Police Department 1400 Botham Jean Blvd. Dallas, Texas 75215	He will testify to retrieving evidence for the Dallas Police Department from the Southwestern Institute of Forensic Science in case nos. IFS-22-12341, 22-IFS-17256, and IFS-22-17336.
Rachel McGehee SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207	She will testify to her role as an Evidence Registrar in case no. 22-IFS-12341 (related to victim M.K.) at the Southwestern Institute of Forensic Science, including sealing blood evidence and transporting it within the Southwestern Institute of Forensic Science.
Monica Chavez SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207	She will testify to her role as an Evidence Registrar in case nos. 22-IFS-17256 (related to victim J.A.) and 22-IFS-17336 (related to victim K.P.) at the Southwestern Institute of Forensic Science, including both receiving and logging blood evidence in and releasing it to the Dallas Police Department.
Abel Martin SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207	He will testify to his role as an Evidence Registrar in case nos. 22-IFS-12341 (related to victim M.K.), 22-IFS-17256 (related to victim J.A.), and 22-IFS-17336 (related to victim K.P.) at the Southwestern Institute of Forensic Science, including sealing blood evidence and transporting it within the Southwestern Institute of Forensic Science.
Floyd Martin SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207	He will testify to his role as an Evidence Registrar in case no. 22-IFS-12341 (related to victim M.K.) at the Southwestern Institute of Forensic Science, including disposing of blood evidence.
Megan Savage SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207 (also noticed as potential expert)	She will testify to her role and work as a Toxicology Chemist II at SWIFS, including her involvement in the testing of M.K.'s blood sample for bupivacaine. She will offer her opinions as noted in the government's expert disclosure (doc. 49).

<p>Darya Vassilieva SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as a Forensic Toxicologist II at SWIFS, including her involvement in the testing of M.K.'s blood sample for bupivacaine. She will offer her opinions as noted in the government's expert disclosure (doc. 49).</p>
<p>Liza Chacko SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as a Toxicology Chemist II at SWIFS, including her involvement in the testing of K.P.'s and J.A.'s blood samples for ephedrine, lidocaine, and bupivacaine. She will offer her opinions as noted in the government's expert disclosure (doc. 49).</p>
<p>Heidi Christensen SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as a Toxicology Chemist II at SWIFS, including her involvement in the testing of K.P.'s and J.A.'s blood samples for ephedrine, lidocaine, and bupivacaine. She will offer her opinions as noted in the government's expert disclosure (doc. 49).</p>
<p>Amanda Rausch SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as a Toxicology Chemist II at SWIFS, including her involvement in the preparation of a sample of M.K.'s blood for shipment to NMS Labs or subsequent testing. She will offer her opinions as noted in the government's expert disclosure (doc. 49).</p>
<p>David Baxter SWIFS 2355 N Stemmons Freeway Dallas, Texas 75207</p> <p>(also noticed as potential expert)</p>	<p>He will testify to his role and work as a Toxicologist II at SWIFS, including his involvement in the preparation of samples of K.P.'s and J.A.'s blood for shipment to NMS Labs for subsequent testing. He will offer his opinions as noted in the government's expert disclosure (doc. 49).</p>
<p>Rachel Barrett NMS 200 Welsh Road Horsham, Pennsylvania 19044</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as an Analyst II at NMS Labs, including her involvement in the testing of J.A.'s and K.P.'s blood samples for ephedrine. She will offer her opinions as noted in the government's expert disclosure (doc. 51).</p>

<p>Danica Martin NMS 200 Welsh Road Horsham, Pennsylvania 19044</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as an Analyst II at NMS Labs, including her involvement in the testing of J.A.'s and K.P.'s blood samples for ephedrine.as noted in the government's expert disclosure (doc. 51).</p>
<p>Alexis McCrossan NMS 200 Welsh Road Horsham, Pennsylvania 19044</p> <p>(also noticed as potential expert)</p>	<p>She will testify to her role and work as an Analyst II at NMS Labs, including her involvement in the testing of M.K.'s blood sample for bupivacaine. She will offer her opinions as noted in the government's expert disclosure (doc. 51).</p>
<p>Mark Shadle NMS 200 Welsh Road Horsham, Pennsylvania 19044</p> <p>(also noticed as potential expert)</p>	<p>He will testify to his role and work as an Analyst II at NMS Labs, including his involvement in the testing of K.P.'s blood sample for bupivacaine. He will offer his opinions as noted in the government's expert disclosure (doc. 51).</p>
<p>Jacclyn J. McGuinness, CPA 241 N. Murphy Road Murphy, Texas 75094</p>	<p>She will testify to being the defendant's CPA and handling the federal tax filings for him and the corporations he controlled, including her knowledge of their financial records documenting income, expenses, payroll, corporate structure, distributions, and other financial and business aspects.</p>
<p>Dr. Mark Miller, M.D. 3144 Horizon Road, Ste. 210 Rockwall, Texas 75032</p>	<p>He will testify to his work as a gastroenterologist at Baylor Scott & White Surgicare North Garland, including his involvement with the surgical procedures on November 18, 2020 (patient I.R.)and on December 16, 2020 (patient R.D.)in which complications arose before surgery in the pre-operative area of the facility.</p>
<p>Tammy Beck FDA 8600 Freeport Parkway #340 Irving, Texas 75063</p>	<p>She will testify to her oversight and custody of the evidence collected in the investigation of the defendant.</p>
<p>Emily Smith Baylor Scott & White Rockwall</p>	<p>She will testify to her knowledge of the adverse medical incident involving patient</p>

825 West Yellowjacket Lane Rockwall, Texas 75087	(T.K.) at Baylor Scott & White Surgicare North Garland on November 9, 2020 in which the defendant was the anesthesiologist, and the adverse medical incidents on November 18, 2020 (patient I.R.) and on December 16, 2020 (R.D.) in which complications arose before surgery in the pre-operative area of the facility.
Frankie Joe Marical	He will testify to the installation and operation of the DVR (video recording) surveillance system at Baylor Scott & White Surgicare North Dallas in May 2022.

Records Custodians

Tykeisha Washington Kaye Sutton Kavya Shekar Tammy Tatum (or designee) JPMorgan Chase Bank N.A. 383 Madison Avenue New York, New York 10017	Will testify that the five batches of JPMorgan Chase Bank, NA. financial records detailed in the government's 902(11) notice (doc. 40) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of JPMorgan Chase Bank, NA.; and that making the records was a regular practice of that activity.
Alexis Wilks (or designee) Bank of America, NA 100 North Tryon Street Charlotte, North Carolina 28255	Will testify that the two batches of Bank of America, NA financial records detailed in the government's 902(11) notice (doc. 40) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Bank of America, NA; and that making the records was a regular practice of that activity.
Donna Lund (or designee) American Express 200 Vesey Street New York, New York 10285	Will testify that the two batches of American Express financial records detailed in the government's 902(11) notice (doc. 40) were made at or near the time by — or from information

	transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Bank of America, NA; and that making the records was a regular practice of that activity.
Cory Ibanez Correct Solutions LLC 182 Bastille Lane Ruston, Louisiana 71270	Will testify that the three items detailed in the government's 902(11) notice (doc. 80) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Correct Solutions LLC; and that making the records was a regular practice of that activity.
Melissa Monmouth (or designee) Medical City 7777 Forest Lane Dallas, Texas 75230	Will testify that the four batches of Medical City records detailed in the government's 902(11) notice (doc. 40) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Medical City; and that making the records was a regular practice of that activity.
Erin Farmer (or designee) Texas Health Resources 612 East Lamar Blvd. Arlington, Texas 76011	Will testify that the batch of Texas Health Resources records detailed in the government's 902(11) notice (doc. 104) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity of Texas Health Resources; and that making the records was a regular practice of that activity.
Morgan Meaders (or designee) Baylor Scott and White Surgicare North Garland 7150 N. President George Bush Hwy #101 Garland, Texas 75044	Will testify that the batch of Baylor Scott and White Surgicare North Garland records detailed in the government's 902(11) notice (doc. 104) were made at or near the time by — or from information transmitted by — someone with knowledge; the records were kept in the course of the regularly conducted activity

	of Baylor Scott and White Surgicare North Garland; and that making the records was a regular practice of that activity.
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Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

/s/ John J. de la Garza III

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Certificate of Service

I certify that on March 22, 2024 I electronically filed this document with the Clerk for the United States District Court for the Northern District of Texas pursuant to its electronic filing system (ECF). The ECF sent a “Notice of Electronic Filing” to the attorneys of record who have consented to accepting service via this method.

/s/ John J. de la Garza III

JOHN J. DE LA GARZA III
Assistant United States Attorney

